

**UNITED STATES DISTRICT AND BANKRUPTCY COURT
FOR THE DISTRICT OF IDAHO**

PRO SE PRO BONO PROGRAM

A. PROGRAM

The Court has consistently been committed to the fair and efficient resolution of pro se cases. In order to assist in the administration of justice, the Court is authorizing limited funding for attorneys, legal interns, and law students appointed in civil and bankruptcy pro se matters. The funding will be used to cover Court appointed counsel's out-of-pocket expenses, and, in exceptional circumstances, to pay for Court expert or special master fees. The funds may also be used for payment of a reduced hourly fee to mediators who participate in quarterly Court-sponsored settlement days as part of a mediation pilot program for pro se cases.

Expenses paid through the Pro Bono Program are not covered by Criminal Justice Act (CJA) funds. The Pro Bono Program reimbursement standard is distinct and separate from the CJA fund reimbursement standard. Reimbursement from the program is within the discretion of the United States District and Bankruptcy Court Chief Judges, and the reimbursement limit is set at Fifteen Hundred Dollars (\$1,500.00) per case. In extraordinary circumstances, counsel may seek additional funds with which to cover out-of-pocket expenses, and the Court may authorize additional funds for payment of expert and special master fees. The Court shall provide forms designating appropriate out-of-pocket expense categories which appointed counsel shall submit to account for the use of funds.

Additionally, the Pro Bono Program funds may be used for purposes which enhance the goal of creating, supporting, and maintaining groups of volunteer lawyers and mediators who will assist the court in resolving pro bono civil and bankruptcy cases.

B. FUNDING FOR PRO SE PRO BONO PROGRAM

Funds for this program will come from the District of Idaho Non-Appropriated Fund (attorney admission fund). The Pro Bono Program's continued funding through the use of non-appropriated funds is subject to the Board of Judges' annual review and approval of the program.

Funding for this program will not exceed twenty percent (20%) of the annual receipts from the non-appropriated fund, unless otherwise authorized by the Board of Judges and the Lawyer Representatives.

C. AUTHORIZATION AND REIMBURSEMENT PROCESS

The Court's Pro Se Staff Attorneys and Bankruptcy Law Clerks will screen pro se cases and determine whether referral to the Pro Bono Program is appropriate. The cases selected for the program will include only those deemed to have potentially meritorious claims. The Judges will then refer cases to the program and authorize reimbursement for out-of-pocket expenses in pro se civil and bankruptcy cases. In exceptional pro se cases, the Chief Judges may also authorize appointment of an expert witness or special master.

Appointed counsel will submit a request for reimbursement of out-of-pocket expenses on the form provided by the Court. Requests for reimbursement should be submitted no more than three (3) times in any one case. Appointed counsel may seek reimbursement of out-of-pocket expenses up to the \$1,500.00 amount without prior Court approval of the expenses. The Chief Judges for the United States District and Bankruptcy Court may pre-authorize reimbursement of expenses beyond the \$1,500.00 amount.

The request for reimbursement should be sent to the Chief Judge for the United States District Court for all pro bono civil cases, and to the Chief Judge of the United States Bankruptcy Court for all pro bono bankruptcy cases. The Chief Judges will review the requests for reimbursement and, if appropriate, approve them for payment from the fund.

In the event the pro bono counsel converts the representation to a contingency fee arrangement and the litigant obtains a costs award at trial, the appointed counsel will reimburse the fund for out-of-pocket expenses covered by the program.

D. ASSISTANCE BY UNIVERSITY OF IDAHO LAW SCHOOL

In an effort to assist the Court in the Pro Bono Program, the University of Idaho Law School will maintain a pro se referral program to assist with meritorious civil and bankruptcy pro se cases. Upon referral from the District or Bankruptcy Court, the Law School will appoint faculty members and law students to represent pro se litigants. The Court shall provide forms designating appropriate out-of-pocket expense categories which the Law School shall submit to account for the use of funds.

E. LEGAL INTERNS

The supervising attorney or Law School will comply with Local Rule 83.4(g) regarding legal interns.

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Order Appointing Attorney, Legal Intern) Case Caption: _____
or Law School student, and Referring Case)
to Pro Se Pro Bono Program) Case #
_____)

Pursuant to the provisions of the Pro Se Pro Bono Program, the Court authorizes referral of the above entitled case to said program, and upon application and approval, will authorize up to \$1,500.00 to reimburse out-of-pocket expenses related to the pro se civil or bankruptcy proceeding. The following person(s) is/are appointed to work in the above entitled case:

_____, Attorney at Law

_____, Supervising Attorney for Legal Intern

_____, Supervising Attorney for Law School Student

Dated this ____ day of _____, 2003.

B. Lynn Winmill
Chief Judge, United States District Judge
Jim D. Pappas
Chief Judge, United States Bankruptcy Court

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Application for Reimbursement of Out-) Case Caption _____
of-Pocket funds pursuant to the Pro Se) Case # _____
Pro Bono Program)
_____)

Attorney, Law School or Student Intern Name and Mailing Address:

Telephone Number:	
Person Represented:	
E-Mail Address:	
CLAIM FOR REIMBURSEMENT OF EXPENSES	
CATEGORY OF EXPENSE	
AMOUNT CLAIMED	Copy costs
	Deposition costs or transcripts:
	Telephone charges
	Court Fees
	Witness fees
	Interpreter fees
	Other. Please list:
	TOTAL CLAIMED

I [] have or [] have not previously submitted a claim on this case. The total claims submitted on this case to date total _____.

CERTIFICATION OF ATTORNEY, STUDENT INTERN OF LAW SCHOOL: I swear or affirm that the above listed costs were incurred in the above entitled case.

Date: _____ Name and Signature _____:

APPROVAL FOR PAYMENT: The total amount approved for this claim is _____.

B. Lynn Winmill
Chief Judge, United States District Court
Jim. D. Pappas
Chief Judge, United States Bankruptcy Court